

REMARKS/ARGUMENTS

Applicant would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office action, and amended as necessary to more clearly and particularly describe the subject matter which applicant regards as the invention.

Applicant appreciates the allowance of claims 1-14, 21 and 22 and the allowability of claims 16, 17, 19 and 20. For the purpose of expediting the prosecution of the present application, claims 19 and 20 have been amended to place them in independent form including all of the limitations of the base claim.

Claims 15 and 18 were rejected under 35 U.S.C. 103(a) over U.S. Patent No. 4,013,434 to Kronenberger et al. (hereinafter “Kronenberger”) in view of U.S. Patent No. 6,125,641 to Kim et al. (hereinafter “Kim”). Claim 18 has been canceled. For the following reasons, the rejection is traversed as it pertains to claim 15.

Regarding claim 15, neither Kronenberger nor Kim teaches or suggests that “the controller carries out a cleaning operation by at least partially opening and then partially closing the damper a set number of times at a set interval,” as required. Rather, Kronenberger merely explains that a damper blade (72, 74) is designed so that it can easily be replaced by the customer, such as when it needs to be cleaned. More specifically, two damper blades (72, 74) are provided, one for the left-hand openings (62) and one for the right-hand openings (64). The dampers (72, 74) are designed to be interchangeable so that when the customer takes the dampers (72, 74) out for cleaning or the like, they can easily be replaced. That is, either damper (72, 74) can go into either set of openings (62, 64), so it is unnecessary for the customer to distinguish between left and right dampers. (See col. 3, lines 16-33). This disclosure in no way suggests that the dampers are opened and closed by a controller to carry out a cleaning operation, since the removal and

Appl. No. 10/643,388
Amdt. Dated January 18, 2005
Reply to Office action of October 19, 2004

replacement of the dampers described in Kronenberger does not by itself clean the dampers. Further, combining these teachings with the teachings of Kim does not result in the presently claimed invention. Neither reference describes cleaning dampers by opening and closing them, as in the present invention. Further, the teachings of Kronenberger relate to something that can only be done by hand, i.e. physically removing the damper blades from the refrigerator, cleaning them and then replacing them on the refrigerator. Thus, it would not be possible, or even desirable, to use the controller of Kim to perform the removal and replacement of the baffles as described in Kronenberger. Therefore, claim 15 is not rendered obvious by Kronenberger, Kim or a combination of the two.

In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. 35799.

Respectfully submitted,

PEARNE & GORDON LLP

By:



Aaron A. Fishman, Reg. No. 44682

1801 East 9th Street
Suite 1200
Cleveland, Ohio 44114-3108
(216) 579-1700

Date: January 18, 2005